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November 6, 2020

By ECF

Hon. Leslie G. Foschio
United States Magistrate Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: *Salvatore's Italian Garden, Inc, et al., v. Hartford Fire Insurance Company*, 20 Civ. 659 (W.D.N.Y.) —Additional Authority

Dear Judge Foschio:

We write on behalf of the Defendant in the above captioned action to advise the Court that since the filing of Defendant's Motion to Dismiss, as well as Defendant's October 5, 2020 Letter, there have been an additional eight decisions from courts across the country concluding that business interruption from COVID-19, and associated governmental responses, does not satisfy the "direct physical loss" requirement in property insurance policies. Defendant attaches as Exhibit A a chart of these cases (totaling twenty) for the Court's reference.

Additionally, twelve decisions from courts across the country have concluded that the Virus Exclusion bars coverage for business interruption claims stemming from the novel coronavirus, COVID-19. Defendant attaches as Exhibit B a chart of these cases for the Court's reference.

Respectfully,

/s/ *Charles Michael*

Charles Michael

cc: All Counsel of Record (via ECF)